

## ARMY TO PROBE "TORTURE IN GUARD"

Inspector-General Orders Inquiry Into "Spreal Eagle" Punishment of Private.

## RULES AGAINST IT

Officers Say Young Kellerman Should Have First Been Court-martialed.

Investigation of the "spread eagle" punishment inflicted upon Private Max Kellerman of the Second Field Artillery in the regiment's armory, 16th street and Franklin avenue, The Bronx, was ordered yesterday afternoon by the Inspector-General's office of the Department of the East at Governors Island. It will be started this morning.

A most rigid inquiry will be made. An interest in the published reports was manifested yesterday by the War Department in Washington and by army officers throughout the country. The prediction was current that if evidence showed that Kellerman had been treated as a soldier, and not as a prisoner, he would be court-martialed and dismissed.

Dr. A. Raynor, a lawyer of 41 Park road, who was retained by Kellerman's father, said that he was going to see the responsible officers of the War Department and he would take every possible measure to see that the responsible officers of the War Department should be punished.

Keen feeling over the affair was manifested by regular army officers yesterday. It was made clear that the army regulations absolutely prohibit the infliction of any sort of punishment upon a private without an investigation and court-martial. It was said that such treatment of soldiers comes within the meaning of torture.

## May Hurt Preparations

The incident was deplored exceedingly because of the fact that the army is likely to go up now about the punishment of a private and because it will likely hurt the movement for preparedness. Army officers said that the incident was a disgrace to the army and that it would be a disgrace to the army if it was not punished. They said that the incident was a disgrace to the army and that it would be a disgrace to the army if it was not punished.

The boy was in a "vicious position," said Mr. Raynor, "but he told us that he was a prisoner and had received no breakfast on Tuesday and no food. Finally in the afternoon he was ordered by Lieut. Spencer to help in cleaning out the stalls. He told that he had nothing to eat that day and he would not work without food. Lieut. Spencer swore at him and said he would make the boy obey his orders. The officer accordingly ordered him to clean out the stalls, and he was taken to the armory and saw him in that humiliating position. There was no food for the boy despite the fact that the Government spends 25 cents a day for every enlisted man."

## Boy Absent Without Leave

The reason for the boy's imprisonment in the first place was given as absence from the armory without leave. It seems, according to his mother, that he was ill when his battery arrived home on Saturday. He left his battery at the City and returned to his home. "My boy stayed home all day Sunday," she said, "and on Monday a corporal and a couple of soldiers came here and beat him and took him to the armory. I have not seen him since then."

Lieut. Col. Frank A. Hines, post commander of the armory, accepted full responsibility for what took place in the armory on Tuesday afternoon. "I saw nothing inhuman about this whole affair," he said to the reporters. "As a matter of fact, it would have been more serious to have let such insubordination go unchecked."

## The Colonel's attention was called to the fact that, according to reports from Governor's Island, it was not permissible for a soldier to be tied to a gun carriage wheel.

"This man Kellerman was a prisoner. When we arrived at Jersey City he was loaded through a car window and was captured and brought here. He has been in solitary confinement since. We have no cells, however, and solitary confinement consists in being detained in a spacious room."

## Dr. Laid Was Without Food

"It is true that Kellerman refused to work because he had not been fed," said Mr. Hines. "Why, no. Money has been provided for that purpose in abundance. The officers have taken care to have the food prepared here or taken them to the restaurants. They have been going out."

"Was it by your orders that Kellerman was tied up?" asked a reporter. "No, but whether I knew it or not I am responsible for the acts of Spencer," said Mr. Hines. "He denied the punishment of the spread eagle. He said that he was a prisoner and that he was not allowed to go out for food, and that the prisoners were not allowed to go out for food, and that the prisoners were not allowed to go out for food."

It was said last night that Kellerman had been tried by court-martial yesterday afternoon for being absent without leave from the armory. Mr. Raynor, however, said he had been unable to attend the trial because of illness. He said that the decision was made by the court-martial and that he was not allowed to go out for food, and that the prisoners were not allowed to go out for food, and that the prisoners were not allowed to go out for food."

## Chicago University's Protest

Chicago, Jan. 10.—To-morrow's mail is expected to deliver to Count von Bernstorff, German ambassador at Washington, the text of a protest against the deportation of Belgians, signed by 12 professors, associate professors and assistant professors of the University of Chicago. The protest was signed by 12 professors, associate professors and assistant professors of the University of Chicago. The protest was signed by 12 professors, associate professors and assistant professors of the University of Chicago.

## ACTOR HELD IN \$4,500 FIFTH AVE. GEM THEFT

Harry Andrews Brought From St. Louis—His "Pal" Under Arrest Here.

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## JACOB H. SCHIFF FILES WAY TO CELEBRATE

Financier Goes to Country With Family to Pass Seventieth Birthday.

## HE MAKES \$100,000 GIFT

In Jewish Homes All Over the City Prayers Are Said for Noted Banker.

Jacob H. Schiff spent his seventieth birthday with his family in seclusion, while messages of congratulation from noted persons in all parts of the world poured into his downtown office at Kuhn, Loeb & Co. He slipped quietly out of the city and left strict orders with those who knew where he had gone not to divulge the secret.

His private secretary said he was not privileged to tell where Mr. Schiff was nor how he was spending the day. At his home, 965 Fifth avenue, it was said that he had gone into the country with his family for several days.

One of the ways in which Mr. Schiff celebrated his birthday was to give \$100,000 to the American Red Cross. This did not become known until late last night, when it was announced by the Red Cross. He gave \$100,000 to the Red Cross for the relief of the starving Jews in the war zone, \$50,000 for the perpetuation of Yiddish classics and \$50,000 for the relief of men made blind by the war.

The cornerstone of a new \$400,000 student hall given by Mr. Schiff was laid at Barnard College June 2.

Orthodox Jews in New York had planned a celebration and dinner in honor of Mr. Schiff's honor, but he declined. He preferred to be with his family, he said, and to spend his birthday with his family. He said that he had gone into the country with his family for several days.

When he was told by Albert Lucas, secretary of the Union of Orthodox Jewish Congregations of America, that in his honor was being planned, in which more than a hundred orthodox Jewish organizations would be represented, Mr. Schiff wrote:

"I have, since I received your letter yesterday, been thinking of the very earnestly with Mr. Schiff and other members of my family, who all strongly in the evening of my birthday, I have always taken in regard to the public honors that have frequently been conferred upon me, and which I have in every instance declined."

"Mrs. Schiff and my family, who naturally know and understand me better than any one else, are aware that the way I am celebrated would only be a source of depression if I accepted honors, which I feel as a general proposition, I should seek to avoid, and I can only accept an exception in any instance, I would do this in the great compliment my countrymen of the orthodox faith have so kindly offered through you to pay to me."

## Greetings From President

President Wilson sent greetings yesterday morning and messages came also from Mr. Charles W. Eliot, Ambassador to Bern, and Mr. C. G. Linder, Secretary of the Treasury. Mr. Eliot, Mayor Mitchell, President Schurman of Cornell University, Henry Morgenthau, John H. Puley, Louis Marshall, Adolph Leshow and many others.

In Jewish homes in all parts of New York prayers were said yesterday for Mr. Schiff. His people asked that he might be spared to them for many more years. A thanksgiving service in appreciation of his life and works of the great Jew will be conducted at the First Hungarian Congregation, 118 West 116th street, at 8 o'clock on Saturday night.

Israel Zangwill cabled a long greeting to Mr. Schiff, the American Hebrew. His message closed with this passage: "He has walked with kings and emperors, and the simplicity and meekness of his ancestral heritage have remained unimpaired."

Herman Bernstein wrote this of Mr. Schiff yesterday: "The power of strength and inspiration, even though his views on Jewish aspirations are not shared by a large number of Jewish people, Jacob H. Schiff has served the Jewish people for upward of half a century with boundless love and devotion and energy."

One of the many meetings last night at which Mr. Schiff was honored was the meeting of 500 members of the Emanuel-Eli Synagogue, at 316 East Eighty-seventh street. Mr. Schiff is vice-president of this organization. A congratulatory message was sent to Mr. Schiff with prayer for his good health and good cheer. Addresses were made in German, Yiddish and Hungarian. Dr. Joseph S. Berman of the Temple Emanuel was one of the speakers. A similar meeting for children was held in the afternoon.

## JESSE L. LIVERMORE WINS NEW FORTUNE

"Boy Plunger," Who Became Bankrupt Two Years Ago, Pays All His Debts.

## HAS \$1,500,000 NEST EGG

He Says He's No Longer a Market Gambler, but Business Speculator.

Jesse L. Livermore, who made millions in coming the cotton market here nine years ago, and whose plunges in the stock, cotton and grain markets led to his failure two years ago, has come back with another fortune. Two years ago he was "broke," but through good fortune and a few shares of Bethlehem Steel Mr. Livermore was able to announce yesterday that he had paid off the last of his creditors and had stored away a comfortable sum for himself.

His friends estimate that his new fortune amounts to \$1,500,000 at least. Now that he is on his feet again he does not intend to let the fortune slip through his hands. The big bull movement being ended, in his opinion, and feeling uncertain about the trend of the stock, grain and cotton markets, Mr. Livermore has arranged for a trip South to wait until he can determine a definite stand to take in the markets.

Until two years ago Mr. Livermore was known as one of the greatest plungers in this country. His winnings ran into millions, but in a crash following his corner in the cotton market he lost \$2,000,000 in one day. His operations from that time went from bad to worse, and in the early part of 1915 he was forced to file a petition in bankruptcy.

Brokers' Angel.

Mr. Livermore was known as the "brokers' angel," so extensive were his dealings. More than once he lost \$1,000,000 or more in a day. Each time he was able to come back. Brokers more than once carried him through stormy periods, knowing that sooner or later he would hit the market in the right direction and that they would be generously repaid in commission.

Hereafter Mr. Livermore does not intend to play the market simply as a gambler. He has turned from a market gambler to what he terms a "business speculator," or an "appraiser of business conditions." Mr. Livermore refused to say how large an amount he had amassed this time. "I must have had a very large amount," he said, "for I have paid in full for my mistakes of the past, and they cost me \$2,000,000."

"I have not taken any prominent part in any of the big markets, although I have made money in them in a quiet way. When I lost \$2,000,000 in my last play in the large market in 1915 I decided it was a much better way to do business on a conservative scale. I have learned from experience that there is no money to be made from scalping; that, by buying in the morning and selling in the afternoon."

"The money lies in figuring out the chances of big moves and then playing them, not in trying to scalp the market, because the commissions and interest charges are too heavy to overcome."

"After I got a little money together I started my new fortune by purchasing Bethlehem Steel at about 100. I bought and sold this stock many times since the enormous advance, each time making a profit. I also participated in profits in the war brides, and in cotton and grain."

Aided by Bankruptcy.

"I went into bankruptcy to get on my feet. If I had not done so, I would not have got anywhere. When I finally came back I paid my creditors in full, although I was not legally liable for the debts, as I had been discharged from my bankruptcy."

"This Wall Street man is a psychological one. The first requisite to success is confidence in oneself. I never lost my nerve. I always kept my feet, and when the stock went down a few points, he is fearful that it will go down again and he will lose the little he has made. That is the wrong time to fear. He should know that the very fact that the stock has gone up proves he is right and he should hold on. But he sells through fear."

That men set a limit on what they expect to make. Don't buy saying you will make \$5,000 on this or that stock. You may and may not. Buy, and if the issue goes up, have patience. Don't try to scalp the market. It doesn't pay. Buy one issue. Don't pyramid, for by doing that you wipe out your own profit by the time you have made it. The market is a much better way to do business on a conservative scale. I have learned from experience that there is no money to be made from scalping; that, by buying in the morning and selling in the afternoon."

## BARRE ARE UP AGAINST THE NUDE IN MOVIES

Producers Agree Human Form Must Have a Hint of Drapery.

## Truth may go naked, but the human form divine must be discreetly draped in all future screen productions

During 1915 only 9,925 men and women tried matrimony, whereas in 1916 10,123 men and women were wedded.

Nothing more specific was mentioned in the meeting concerning the future of the picture art league, which will establish an irreducible minimum to govern costumes in future picture productions.

The first of these standards will be the rule that from this time forward all naked figures will be barred from screen productions. It was announced.

Mr. Griffith's plan, which met with the approval of all, is to form a motion picture art league, which will establish an irreducible minimum to govern costumes in future picture productions.

Other equally rigid rules are contemplated which will assure that no film will be offensive to good taste or decency.

Weddings Kept Clergy Busy.

Boston, Jan. 10.—Boston clergymen have had the busiest year in their history. In 1915 only 9,925 men and women tried matrimony, whereas in 1916 10,123 men and women were wedded.

Why should we go to Maxine Elliott's next week to see Gertrude Kingston & Her Co. in Shaw and Dunsany plays?

Because Heywood Brown said in the Tribune—"The best piece of acting this season is done by Gertrude Kingston in Shaw's 'Great Catherine.'"

LYRIC B'way 42nd William Fox Presents  
Mat. Today, 2:30  
2:50 to 10:00  
Tonight at 8:30  
KELLERMAN  
"A DAUGHTER OF THE GODS"

LONGACRE West 44th St. To-night 8:30  
Mat. Today, 2:30  
2:50 to 10:00  
Tonight at 8:30  
Wm. Collier  
"NOTHING BUT THE TRUTH"

SHUBERT 14th W. of B'way, Eves. 8:15  
Last Matinee Sat. 2:15  
Last Week  
SO LONG LETTY  
with CHARLOTTE GREENWOOD  
MONDAY, JAN. 15—Seats To-day  
10:00 to 11:00  
New Comedy  
LOVE O' MIKE  
with Music

39th St. THKA, W. of B'way, Eves. 8:15  
Mat. Today, 2:30  
2:50 to 10:00  
Tonight at 8:30  
EMMADUNN "OLD LADY 31"  
CASINO ANNA HELD  
Broadway & 39th St. Eves. 8:15  
Mat. Today, 2:30  
2:50 to 10:00  
Tonight at 8:30  
FOLLOW ME  
—Herald—

ASTOR Theat. 45th & B'way, Eves. 8:15  
Mat. Today, 2:30  
2:50 to 10:00  
Tonight at 8:30  
CLIFFTON "OLD SOLDIER"  
with Music  
JOHN CHARLES ADELL  
with Music  
HIS BULL EYE "DARTON, EV. World."

WASHN SQ. PLAYERS  
Broadway & 14th St. Eves. 8:15  
Mat. Today, 2:30  
2:50 to 10:00  
Tonight at 8:30  
COMEDY  
PARK THEATRE COLUMBIA CIRCLE 10th St.  
MERRY WIVES OF WINDSOR  
COLLIER IRVING  
THOS. A. WISE

EXTRA—\$10.00 WILL RE-PAID  
in cash by the Universal Film Co. to any person who brings in a copy of the under water scenes were taken elsewhere than at the bottom of the sea.

20000 LEAGUES UNDER THE SEA  
The Most Amazing Film Ever Made  
Thrilling Spectacular  
Universal Film Co. Presents  
3 Times Daily 3:15, 4:30 & 8:15 P.M.  
Eves. 8:15 to 10:00  
Mat. 2:30 to 4:30  
Eves. 8:15 to 10:00  
Broadway Theatre 11th St.  
Direction of STANLEY W. MASTBARD

## BABY AND WIFE SHOT IN JEALOUS FRENZY

North Bergen Man After Tragedy Calmly Sends for a Pitcher of Beer.

## Because he was jealous of his pretty wife, with no apparent reason, Joseph Hertzog, 26 years old, flew into a rage at his home, 108 Grand avenue, North Bergen, N. J., last night and shot her four times. Then he took a shot at his mother-in-law, Mrs. William Scholmann, as she was trying to escape the fusillade with Hertzog's two-year-old son, Edwin, in her arms, and the bullet ploughed a furrow across the baby's temple. Mrs. Hertzog was sent to the North Hudson Hospital in Weehawken Heights, where it was said at a late hour she has but little chance of pulling through. The baby will get well.

Mrs. Hertzog invited her mother, Mrs. Scholmann, both of 85 Adelphi place, North Bergen, to supper, and a minute or two after the family sat down Hertzog started to accuse his wife, Frieda, of flirting with other men. Mrs. Hertzog tearfully scolded her husband for being foolishly jealous, and her mother and sister joined in telling Hertzog that he ought to be ashamed of himself.

Suddenly Hertzog whipped out a revolver and began shooting. He fired at such close range at his wife that her clothing caught. Miss Scholmann, who arrived and placed him under arrest, Hertzog was badly scorched.

Hertzog didn't attempt to escape after the shooting. He resumed his seat at the table and, it was said, ordered one of his workmen to go for a pitcher of beer. He was calmly drinking the beer when Chief of Police Gen. Barry arrived and placed him under arrest.

Hertzog is a well-to-do huckster and employs five or six peddlers.

## AMUSEMENTS.

EMPIRE B'way, 40th St. Eves. 8:30  
Mat. Sat. & Sun. 2:30  
MAUDE A KISS FOR ADAMS CINDERELLA  
J. M. BARRE'S GREATEST TRIUMPH

Laurette Taylor  
in "The Harp of Life"  
Globe B'way, 40th St. Eves. 8:30  
Mat. Sat. & Sun. 2:30

CRITERION B'way, 44th St. Eves. 8:15  
Mat. Sat. & Sun. 2:30  
WILLIAM ARTHUR SEREMONDA  
"I will thrill you through and through"

Turn to the Right!  
Gaiety Theatre B'way, 46th St. Eves. 8:30  
Mat. Sat. & Sun. 2:30

YOU ARE CHEATING YOURSELF  
IF YOU DON'T SEE  
IT'S A WONDERFUL THRILLER  
AT THE ELTINGE Thea. W. 42nd St. Eves. 8:30  
Mat. Sat. & Sun. 2:30

ELTINGE-TODAY AT 3  
10:15 P.M. at 3 and 5 P.M. Night at 8  
HAVE YOU HEARD  
NORA BAYES  
ADVISE HER LITTLE CAR TO BEWARE OF THE FRENCH CAR  
IT'S A SCREAM!  
SONGS, DANCES, AND CLOWNS  
PRICES—50¢-75¢-1.25-1.50-2.25

FULTON West TO-NIGHT 8:20 SEATS  
"IN FOR THE NIGHT"  
A New 3 Act Farce by James Savoy  
MIRTH!  
Good Gracious Annabelle  
REPUBLIC West 42nd St. Eves. 8:30  
Mat. Sat. & Sun. 2:30

CENTURY B'way, 42nd St. Eves. 8:30  
Mat. Sat. & Sun. 2:30  
CENTURY GIRL  
ELITE CAST  
HARRY KELLY, VAN AND SCHENCK

Charles Hopkins' Gorgeous Production of that Wonderful Comedy of Youth and Adventure by Robert L. Stevenson and Jules Eckert Goodman  
TREASURE ISLAND  
AT THE PUNCH & JUDY THEATRE 10th St. E. of B'way  
ENGAGEMENT EXTRAORDINARY  
TWO WEEKS  
TO MEET POPULAR DEMAND  
AT POPULAR PRICES  
MONDAY EVENING: 8:30  
TUESDAY MAT. 3:30  
WEDNESDAY MAT. 3:30  
THURSDAY MAT. 3:30  
SATURDAY 10 A.M.

Regular Friday and Saturday Performances, also at 7:30 & 8:30. Orch. \$2.50.  
These special matinees of hours to suit the children. Prices in suit these unable to keep \$1 and \$1.50 tickets heretofore on account of our limited capacity. The theatre seats only 299. BUT YOUR SEATS NOW.

Manhattan  
OPERA HOUSE  
31th St. West of Broadway  
TUES. EVG., JAN. 23  
First Presentation in America  
The Wanderer  
WITH THE FOLLOWING DISTINGUISHED CAST  
NANCY O'NEILL  
JOHN H. BROWN  
NEVERETT GREAVES  
JANET DUNBAR  
CLARA BLANDICK  
WILLIAM H. THOMPSON  
CHARLES H. BROWN  
WILLIAM H. BROWN  
LIONEL BRADMAN  
PEDRO DE CORDOBA  
MACEY HARMAN  
STYNE HERBERT  
FREDERICK BURTON  
WALTER GIBBS  
WALTER GIBBS  
EDWARD COVE  
HAROLD DAVIS  
AND 500 OTHERS  
Seat Sale Open Monday, Jan. 15  
Mail Orders Now Received  
PRICES: 25c, 50c, 75c, \$1.00, \$1.50, \$2.00  
Popular Wed. Mat. 2:30 to 10:00  
300 Seats at All Performances at \$1.00

FIFTH BILTMORE  
FRIDAY MORNING MUSICALS  
To-morrow (Friday) Morning at 11  
FRITZ PARLO  
Kreissler Casals  
Patterson Allan  
Reserved Seats \$2. Now on sale at Biltmore  
Friday Morning Musicals. Box Office  
Management R. F. JOHNSON, Knabe Piano

Aeolian Hall, To-morrow Night at 8:15  
SONG RECITAL OSCAR SEAGLE  
Tickets \$2 to 10. Box \$15. Chaperon Piano  
Management Florence L. Pease, 1 W. 34th St.

Aeolian Hall, Tues. Mfr., Jan. 16, at 8  
Danish Cellist  
SANDBY  
Compos. Recital

HOTELS AND RESTAURANTS  
Stratford House  
11 East 32d St.  
Modernized and Re-opened  
January 1st.  
New and Attractively Furnished  
SINGLE ROOMS AND SUITES  
Three Handsome Restaurants.  
Quiet—Homelike—Refined.  
Direction of William S. O'Brien.

PHILHARMONIC  
HAROLD DAVIS, Conductor  
CARNegie Hall, To-night 8:30  
and To-morrow (Fri.) At 2:30.  
Soloist  
REYER  
Schubert "Unfinished," R. Goldmark  
"Samson," F. Chopin, "Polka," R. Schumann  
Tickets, Box Office, Felix F. Lefsky, Mgr.

BROOKLYN ACADEMY OF MUSIC  
Next Sunday Afternoon at 3:15  
Percy Grainger  
Aeolian Hall, To-morrow (Fri.) At 2:30  
"PIANO RECITAL—EVA  
LIMINANA  
Seats 50c to \$2 at Box Office, Chickering Piano.

Star 42nd St. Fulton Mfr. Mat.  
Main 1000  
THE CABARET GIRLS  
EVERY SUNDAY, 2-BIG CONCERTS—

## AMUSEMENTS.

NEW AMSTERDAM THEATRE  
Eves. 8:15, Mat. Sat. & Sun. 2:30  
KLAU & ERLANGER'S SUPREME  
MUSICAL COMEDY TRIUMPH

MISS SPRINGTIME  
Music by KALMAN. Book by BOLTON  
with ZIEGFELD and his  
MIDNIGHT FROLIC

LIBERTY WEST 42nd St. Eves. 8:30  
FIRST MAT. SAT. 2:30  
TO-NIGHT AT 8:20 SH